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CITY OF GOSNELLS

DOG ACT 1976

DOGS LOCAL LAW 2000

LOCAL GOVERNMENT ACT 1995

STANDING ORDERS LOCAL LAW 1998

**CORRECTION TO LOCAL LAWS RELATING
TO FENCING 2000**

**CORRECTION TO PARKING AND PARKING
FACILITIES LOCAL LAW 2000**

DOG ACT 1976

CITY OF GOSNELLS

DOGS LOCAL LAW 2000

TABLE OF CONTENTS

PART 1—PRELIMINARY

- 1.1 Citation
- 1.2 Repeal
- 1.3 Definitions
- 1.4 Application

PART 2—IMPOUNDING OF DOGS

- 2.1 Charges and costs
- 2.2 Attendance of pound keeper at pound
- 2.3 Release of impounded dog
- 2.4 No breaking into or destruction of pound

PART 3—REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

- 3.1 Dogs to be confined
- 3.2 Limitation on the number of dogs

PART 4—APPROVED KENNEL ESTABLISHMENTS

- 4.1 Interpretation
- 4.2 Application for licence for approved kennel establishment
- 4.3 Determination of application
- 4.4 Where application cannot be approved
- 4.5 Conditions of approval
- 4.6 Compliance with conditions of approval
- 4.7 Fees
- 4.8 Form of licence
- 4.9 Period of licence
- 4.10 Variation or cancellation of licence
- 4.11 Transfer
- 4.12 Notification
- 4.13 Inspection of kennel

PART 5—DOGS IN PUBLIC PLACES

- 5.1 Places where dogs are prohibited absolutely
- 5.2 Places which are dog exercise areas

PART 6—MISCELLANEOUS

- 6.1 Offence to excrete

PART 7—ENFORCEMENT

- 7.1 Interpretation
- 7.2 Modified penalties
- 7.3 Issue of infringement notice
- 7.4 Failure to pay modified penalty
- 7.5 Payment of modified penalty
- 7.6 Withdrawal of infringement notice
- 7.7 Service

SCHEDULE 1

SCHEDULE 2

SCHEDULE 3

DOG ACT 1976

CITY OF GOSNELLS

DOGS LOCAL LAW

Under the powers conferred by the *Dog Act 1976* and under all other powers enabling it, the Council of the *City of Gosnells* resolved on 22 August 2000 to make the following local law.

PART 1—PRELIMINARY**1.1 Citation**

This local law may be cited as the *City of Gosnells Dogs Local Law*.

1.2 Repeal

The *By-laws Relating to Dogs* published in the *Government Gazette* on 26 June 1981 and amended on 5 February 1988, 5 February 1993, 20 August 1993 and 25 November 1997 is repealed.

1.3 Definitions

In this local law unless the context otherwise requires—

“Act” means the *Dog Act 1976*;

“authorized person” means a person authorized by the local government to perform all or any of the functions conferred on an authorized person under this local law;

“CEO” means the Chief Executive Officer of the local government;

“District” has the meaning given to it by Section 2.4 of the *Local Government Act 1995*,

“local government” means the *City of Gosnells*;

“pound keeper” means a person authorized by the local government to perform all or any of the functions conferred on a “pound keeper” under this local law;

“Regulations” means the *Dog Regulations 1976*;

“thoroughfare” has the meaning given to it in section 1.4 of the *Local Government Act 1995*; and

“town planning scheme” means a town planning scheme made by the local government under the *Town Planning and Development Act 1928* which applies throughout the whole or a part of the district.

1.4 Application

This local law applies throughout the district.

PART 2—IMPOUNDING OF DOGS**2.1 Charges and costs**

The following are to be imposed and determined by the local government under sections 6.16—6.19 of the *Local Government Act 1995*—

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

2.2 Attendance of pound keeper at pound

The pound keeper is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the CEO.

2.3 Release of impounded dog

(1) A claim for the release of a dog seized and impounded is to be made to the pound keeper or in the absence of the pound keeper, to the CEO.

(2) The pound keeper is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the pound keeper, satisfactory evidence—

- (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
- (b) that he or she is the person identified as the owner on a microchip implanted in the dog.

2.4 No breaking into or destruction of pound

A person who—

- (a) unless he or she is the pound keeper or a person authorized to do so, releases or attempts to release a dog from a pound; or
- (b) destroys, breaks into, damages or in any way interferes with or renders not dog-proof—
 - (i) any pound; or
 - (ii) any vehicle or container used for the purpose of catching, holding or conveying a seized dog, commits an offence.

Penalty: Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.

PART 3—REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

3.1 Dogs to be confined

(1) An occupier of premises on which a dog is kept must—

- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
- (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
- (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;
- (d) maintain the fence and all gates and doors in the fence in good order and condition; and
- (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.

(2) Where an occupier fails to comply with subclause (1), he or she commits an offence.

Penalty: Where the dog kept is a dangerous dog, \$2,000; otherwise \$1,000.

3.2 Limitation on the number of dogs

(1) The owner or occupier of any premises within the District shall not keep, permit or suffer to remain thereon more than two dogs over the age of three months unless such premises are situated within that area of the District where kennels are permitted under the City of Gosnells (District Zoning Scheme) and such premises are licensed as an approved kennel establishment in compliance with Part 4 of these local laws.

(2) Notwithstanding the provisions of subclause (1) an occupier of a premises located within the area of Town Planning Scheme 4 – Kennel Zone may keep, without a kennel establishment licence, up to 4 dogs over the age of three months registered in compliance with the Act and the young of those dogs under that age.

PART 4—APPROVED KENNEL ESTABLISHMENTS

4.1 Interpretation

In this Part and in Schedule 2—

“licence” means a licence to keep an approved kennel establishment on premises;

“licensee” means the holder of a licence;

“premises”, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence; and

“transferee” means a person who applies for the transfer of a licence to her or him under clause 4.11.

4.2 Application for licence for approved kennel establishment

An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with—

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;
- (c) a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs which may be nominated from time to time by the local government; and
- (d) the fee for the application for a licence referred to in clause 4.7(1).

4.3 Determination of application

In determining an application for a licence, the local government is to have regard to—

- (a) the matters referred to in clause 4.4;
- (b) any written submissions received on the proposed use of the premises;
- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;

- (d) the effect which the kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

4.4 Where application cannot be approved

The local government cannot approve an application for a licence where—

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under a town planning scheme; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

4.5 Conditions of approval

(1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.

(2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

4.6 Compliance with conditions of approval

A licensee who does not comply with the conditions of a licence commits an offence.

Penalty: Where a dog involved in the contravention is a dangerous dog, \$2,000 and a daily penalty of \$200; otherwise \$1,000 and a daily penalty of \$100.

4.7 Fees

- (1) On lodging an application for a licence, the applicant is to pay a fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.
- (3) On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.
- (4) The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.16—6.19 of the *Local Government Act 1995*.

4.8 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

4.9 Period of licence

- (1) The period of effect of a licence is set out in section 27(5) of the Act.
- (2) A licence is to be renewed if the fee referred to in clause 4.7(2) is paid to the local government prior to the expiry of the licence.
- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

4.10 Variation or cancellation of licence

- (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence—
 - (a) on the request of the licensee;
 - (b) following a breach of the Act, the Regulations or this local law; or
 - (c) if the licensee is not a fit and proper person.
- (3) The date a licence is cancelled is to be, in the case of—
 - (a) paragraph (a) of subclause (2), the date requested by the licensee; or
 - (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.
- (4) If a licence is cancelled the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

4.11 Transfer

- (1) An application for the transfer of a valid licence from the licensee to another person must be—
 - (a) made in the form determined by the local government;
 - (b) made by the transferee;
 - (c) made with the written consent of the licensee; and
 - (d) lodged with the local government together with—
 - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
 - (ii) the fee for the application for the transfer of a licence referred to in clause 4.7(3).
- (2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).

(3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.

(4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 4.12(b), the transferee becomes the licensee of the licence for the purposes of this local law.

4.12 Notification

The local government is to give written notice to—

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- (c) a licensee of any variation made under clause 4.10(1);
- (d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (e) a licensee when her or his licence is renewed;
- (f) a licensee of the cancellation of a licence under clause 4.10(2)(a); and
- (g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 4.10(2), which notice is to be given in accordance with section 27(6) of the Act.

4.13 Inspection of kennel

With the consent of the occupier, an authorized person may inspect an approved kennel establishment at any time.

PART 5—DOGS IN PUBLIC PLACES

5.1 Places where dogs are prohibited absolutely

(1) Dogs are prohibited absolutely from entering or being in any of the following places—

- (a) where so indicated by a sign, a public building;
- (b) a theatre or picture gardens;
- (c) all premises or vehicles classified as food premises or food vehicles under the *Health (Food Hygiene) Regulations 1993*;
- (d) a public swimming pool;
- (e) Mary Carroll Park, Eudoria Street, Gosnells comprised in Canning Locations 2096, 2460, 2498, 2499, 2899, 3085 and 3188 (Reserve 31993) Canning Location 3061 (Reserve 28361) and Lots 7, 8, 9, 10, 12, 20, 22, 23, 91, 108, 505, 506 and Part Lot 23 of Canning Location 16;
- (f) Swingler Park, Swingler Way, Gosnells comprised in Lot 50 of Canning Location 16.

(2) If a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at that time commits an offence.

Penalty: Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.

5.2 Places which are dog exercise areas

(1) Subject to clause 5.1 and subclause (2) of this clause, for the purposes of sections 31 and 32 of the Act, the following are dog exercise areas—

- (a) Wickens Street, linear park, Beckenham. Canning Locations 2468, 2545 and 2546—Reserve 31946; and Canning Locations 2641, 2642 and 2742—Reserve 33140.
- (b) Packer Park, Dudley Road, Kenwick. Canning Location 2340 – Reserve 30752 and Lot Pt. 42
- (c) Lot 1765 on Plan 3315 Volume 1837 Folio 131, Southern River Road, Southern River.
- (d) Gibbs Park, Alcock Street, Maddington. Lots Pt. 340, Pt. 342 and 1.
- (e) Hester Park, Spencer Road, Langford. Lots 2, 3, 4, 16, 141, 150 and Canning locations 2589 and 2784—Reserve 32677.
- (f) Ailsworth Court/ Ovens Road linear park. Reserve No. 34795.
- (g) Robinson Park, Corfield Street, Gosnells—
 - (i) Lot 864, on Plan 2567 Volume 353 Folio 23A
 - (ii) Lot 865, on Plan 2567 Volume 353 Folio 23A
 - (iii) Lot 866, on Plan 2567 Volume 353 Folio 23A
 - (iv) Lot 867, on Plan 2567 volume 1737 Folio 581.
- (h) Part Lots 166 and 171, and Lots 170, 172 on Plan 15320, Canning Location 3914 (Reserve 43367) adjacent to Burslem Drive; Heron Place, Maddington.
- (i) Armstrong Park—Warton Road, Huntingdale; Canning Location 2676—Reserve 33428 and Canning Locations 2653 and 2990—Reserve 33185.
- (j) John Okey Davis Park—Lot Nos 102, 1133, 1134 Homestead Road, Gosnells
- (k) Regional open space abutting Canning River, Thornlie between standard gauge railway bridge and Spencer Road/Corfield Street Gosnells including—
 - (i) Canning Locations 2955, 2880 Portions of Recreation Reserve 32093);
 - (ii) Canning Location 3267 (Recreation Reserve 37270);

- (iii) Lot 164 on Plan 8816
 - (iv) Lot 201 on Plan 12942 Volume 1568 Folio 92
 - (v) Lot 203 on Plan 12942 Volume 1568 Folio 93
 - (vi) Lot 255 on Plan 6518.
- (2) Subclause (1) does not apply to—
- (a) land which has been set apart as a children's playground;
 - (b) an area being used for sporting or other activities, as permitted by the local government, during the times of such use; or
 - (c) a car park.

PART 6—MISCELLANEOUS

6.1 Offence to excrete

- (1) A dog must not excrete on—
- (a) any thoroughfare or other public place; or
 - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- Penalty:** \$200.
- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person and disposed of to the satisfaction of an authorised person.

PART 7—ENFORCEMENT

7.1 Interpretation

In this Part—

- “infringement notice” means the notice referred to in clause 7.3; and
“notice of withdrawal” means the notice referred to in clause 7.6(1).

7.2 Modified penalties

- (1) The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.
- (2) The amount appearing in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if—
- (a) the dog is not a dangerous dog; or
 - (b) the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.
- (3) The amount appearing in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

7.3 Issue of infringement notice

Where an authorized person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 7 of the First Schedule of the Regulations.

7.4 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

7.5 Payment of modified penalty

A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

7.6 Withdrawal of infringement notice

- (1) Whether or not the modified penalty has been paid, an authorized person may withdraw an infringement notice by sending a notice in the form of Form 8 of the First Schedule of the Regulations.
- (2) A person authorized to issue an infringement notice under clause 7.3 cannot sign or send a notice of withdrawal.

7.7 Service

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

Schedule 1

(clause 4.2)

*Local laws relating to dogs***APPLICATION FOR A LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT**

I/we (full name)

of (postal address)

(telephone number)

(facsimile number)

(E-mail address)

Apply for a licence for an approved kennel establishment at (address of premises)

For (number and breed of dogs)

* (insert name of person) will be residing at the premises on and from (insert date)

* (insert name of person) will be residing (sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare) at

..... (insert address of residence)
on and from (insert date).

Attached are—

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) written evidence that a person will reside—
 - (i) at the premises; or
 - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (d) if the person in item (c) is not the applicant, written evidence that the person is a person in charge of the dogs.

Signature of applicant.....

Date.....

* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months – section 27.5 of the Dog Act.

OFFICE USE ONLY

Application fee paid on *[insert date]*.

Schedule 2

(clause 4.5(1))

CONDITIONS OF A LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT

An application for a licence for an approved kennel establishment may be approved subject to the following conditions—

- (a) each kennel must have a yard attached to it; unless the local government has specifically approved otherwise;
- (b) each kennel and each yard must be at a distance of not less than -
 - (i) 30m from the front boundary of the premises and 10m from any other boundary of the premises;
 - (ii) 10m from any dwelling; and
 - (iii) 10m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence a minimum of 1.8 metres in height constructed of link mesh or netting or other materials approved by the local government;
- (d) the minimum floor area for each kennel must be 2.5 square metres in area for each dog kept therein over the age of three months.;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (f) the upper surface of the kennel floor must be—
 - (i) at least 100mm above the surface of the surrounding ground;
 - (ii) smooth so as to facilitate cleaning;
 - (iii) rigid;
 - (iv) durable;

- (v) slip resistant;
- (vi) resistant to corrosion;
- (vii) non-toxic;
- (viii) impervious;
- (ix) free from cracks, crevices and other defects; and
- (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must discharge to a properly laid, ventilated and trapped drain in accordance with the health requirements of the local government;
- (g) all kennel floor washings must pass through the drains in item (f) (x) and must be piped to an approved Apparatus for the Treatment of Sewage (as specified by the *Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974*) and in accordance with the health requirements of the local government;
- (h) the kennel floor must have a durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or alternatively internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (i) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
- (j) from the floor, the lowest internal height of a kennel shall be two metres.
- (k) the walls of each kennel must be constructed of concrete, brick, stone or framing sheeted internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other durable material approved by the local government;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorized person;
- (o) all refuse, faeces and food waste must be disposed of daily to the satisfaction of an authorised person;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) suitable water both for cleaning and drinking must be available at the kennel via a properly supported standpipe and tap; and
- (r) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside—
 - (i) at the premises; or
 - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

Schedule 3

(clause 7.2)

OFFENCES IN RESPECT OF WHICH MODIFIED PENALTY APPLIES

Offence	Nature of offence	Modified penalty	Dangerous Dog Modified Penalty
		\$	\$
2.4(a)	Attempting to or causing the unauthorized release of a dog from a pound	200	400
2.4(b)&(c)	Interfering with any pound or vehicle used for the purpose of catching, holding or conveying dogs	200	
3.1	Failing to provide means for effectively confining a dog	50	200
4.6	Failing to comply with the conditions of a licence	100	200
5.1(2)	Dog in place from which prohibited absolutely	200	400
6.1(2)	Dog excreting in prohibited place	40	

Dated this 23rd day of August 2000.

The Common Seal of the *City of Gosnells* was affixed by authority of a resolution of the Council in the presence of—

P. M. MORRIS, JP, Mayor.
S. HOLTBY, Chief Executive Officer.

LOCAL GOVERNMENT ACT 1995

CITY OF GOSNELLS

STANDING ORDERS LOCAL LAW 1998

In pursuance of the powers conferred upon it by the Local Government Act 1995 and by all other powers enabling it, the Council of the City of Gosnells, hereby records having resolved on the 22nd day of August 2000, to make and submit for confirmation by the Governor the following amendments to the City of Gosnells Standing Orders Local Law 1998 published in the *Government Gazette* on 31 August 1998.

The City of Gosnells Standing Orders Local Law 1998 is hereby amended as follows—

1. Deleting in Clause “**2.8 Order of Business**”:
 - In item (5) the word “submissions” and substituting it with the word “statements”, and
 - In item (10) the wording “Business arising from minutes of previous meeting” and substituting it with the words “Items brought forward for the convenience of those in the public gallery”; and
 - In item (15) the following—

“(15) Motions without notice (by permission of Council”); and
Renumbering items (16), (17) and (18) as (15), 16) and (17).
2. Inserting the words “and Public Statements” at the end of the heading to Clause 2.15.
3. Amending sub—clause 2.15.1 by substituting the word “Members” with the word “members”.
4. Inserting a new sub—clause 2.15.5 after paragraph (9) of sub—clause 2.15.4 which provides—

“2.15.5 Public Statements
Members of the public may, during the Public Statements segment of the Agenda, with the consent of the Presiding Member speak in accordance with a public statement on any matter that appears on the Agenda for that meeting provided that—

 - (a) the member of the public submits to the CEO prior to the commencement of the meeting a public statement in the form determined by the CEO which shall include the name and address of the member of the public;
 - (b) the public statement precedes discussion of any matter which requires a decision to be made at the meeting but otherwise at item five (5) of Order of Business at clause 2.8;
 - (c) the public statement is limited to a maximum period of three (3) minutes, unless otherwise determined by the Presiding Member; and
 - (d) no discussion or questions relating to the statement are permitted, unless otherwise determined by the Presiding Member.”
5. Deleting in Clause “**2.27 Notices of Motion**” in the second line of paragraph (1) of sub—clause 2.27.4 the figures “2.26.3” and substituting them with the figures “2.27.3”.
6. Deleting in Clause “**3.7 Voting**” in the last line of sub—clause 3.7.4 the word “recorder” and substituting the word “recorded”.
7. Inserting after Clause **5.11 Council’s Common Seal** a new Clause 5.12 which reads—

“5.12 Code of Conduct

 - 5.12.1 Interpretation
In this clause—

“Code of Conduct” means the code of conduct for Council members and staff adopted by the Council on 29 April 1996 as amended or substituted from time to time; and
“commencement day” means the day on which this clause comes into operation.
 - 5.12.2 Code of Conduct to have legal status
On and from the commencement day the Code of Conduct shall have the same force and effect as if it was set out in the Standing Orders.
 - 5.12.3 Contravention of the Code of Conduct
Subject to subclause 5.12.4, any person who contravenes any provision of the Code of Conduct commits an offence and is liable to the penalties set out in clause 5.8.

5.12.4 Prosecution by absolute majority decision

Notwithstanding section 9.24 of the Act and clause 5.10, an employee or Member acting on behalf of the City shall not commence proceedings for a contravention of any provision of the Code of Conduct unless by a decision of an absolute majority of the Council.

Dated this 23rd day of August 2000.

The Common Seal of the City of Gosnells was affixed by authority of a resolution of the Council in the presence of—

P. M. MORRIS, JP, Mayor.

S. HOLTBY, Chief Executive Officer.

CORRECTION
CITY OF GOSNELLS

It is hereby notified for public information that the notice published in the *Government Gazette* on 9 August 2000 in respect to the following mentioned Local Laws contained errors, which are now corrected as follows—

Local Laws Relating to Fencing 2000

Repeal — delete reference to the dates of amendment to By-laws Relating to Fencing and Obstructions at Intersections, being “22 December 1987” and “24 October 1989” and substitute “26 January 1990”

Parking and Parking Facilities Local Law 2000

Repeal — delete reference to date of gazettal of the By-laws Relating to Parking Facilities being “24 October 1991” and substitute “1st February 1991”.

— delete reference to date of amendment of the by-law “21 January 1993” and substitute “22 January 1993”.

— include an additional date of amendment “13 April 1994”.

S. HOLTBY, Chief Executive Officer.

